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Calendar No. 352.

60TH CONGRESS, }
1st Session. }

SENATE.

} REPORT
No. 314.

CARE AND PRESERVATION OF THE HERMITAGE.

FEBRUARY 28, 1908.—Ordered to be printed.

U. S. C.

Mr. BRIGGS, from the Committee on the Library, submitted the following

REPORT.

[To accompany S. 4797.]

The Committee on the Library, to whom* was referred the bill (S. 4797) for the care and preservation of the Hermitage, have had the same under consideration, and report it back without amendment.

The purpose of said bill is to appropriate \$25,000 to aid the Ladies' Hermitage Association of Tennessee to properly care for and preserve the tomb and the old homestead and grounds surrounding the same, known as the Hermitage, where President Andrew Jackson lived and died, and where he is buried.

The bill appropriates \$25,000, of which sum \$5,000 is to be immediately available, for such repairs and improvements as are urgently needed, and the balance is to be invested in United States bonds, or the bonds of the State of Tennessee, or such other securities as may be approved by the Secretary of the Treasury, such fund to be held forever by the Ladies' Hermitage Association of Tennessee, a charitable organization organized under the laws of Tennessee, and the interest only applied to the care, improvement, and preservation of the grounds, tomb, and buildings, known as the Hermitage.

The Hermitage is situated about 12 miles from Nashville, in Davidson County, Tenn. The estate on which General Jackson lived before, at the time of, and after he was President, and where he died and where his remains now lie, originally consisted of 500 acres of land. In 1856, the State of Tennessee purchased the Hermitage from Andrew Jackson, jr., the adopted son of General Jackson. One section of the act of the general assembly of Tennessee, under authority of which the Hermitage was purchased, provided:

That the governor of this State shall be authorized and required to tender the said property to the General Government of the United States, upon the express condition that it be used as a site for a branch of the Military Academy at West Point; and in the event the General Government does not accept the tender thus made in two years from the expiration of this session of the general assembly, then the governor shall be

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authorized and required to have 50 acres laid off, including the tomb, the mansion, and the spring and spring houses, and expose the balance to public sale, either as a whole or in lots, on time, or for cash, as to him may seem best, and make his report to the legislature of 1859-60.

The civil war coming on shortly after the purchase, the tender to the Federal Government was never made.

The State has paid in principal and interest for said estate the sum of \$151,680.

In 1889 the legislature of Tennessee chartered the Ladies' Hermitage Association and conveyed to it in trust 25 acres of the "Hermitage tract, upon which are located the mansion house and tomb of Gen. Andrew Jackson." The purposes of said conveyance are fully set out in section 2 of said act, which is as follows:

That the object for which this trust is created is to permit and encourage the Ladies' Hermitage Association to improve and beautify the mansion and other houses and the tomb, as well as the 25 acres upon which they are located, in such a manner as they may deem best, and to keep them in such high state of improvement and beauty as will display to the world the respect, love, and affection which should ever live in the hearts of an admiring people for their illustrious and departed chieftain: *Provided*, That visitors shall be allowed access to the grounds free of charge under reasonable rules to be prescribed by said society.

Since said conveyance in 1889, the Ladies' Hermitage Association has had the care, supervision, and preservation of the Hermitage. The State has aided the association to a limited extent, appropriating for such purpose during the entire period from 1889 to the present time about \$9,700, but the major portion of the burden of the care and preservation of the Hermitage has been borne by this association of devoted and patriotic women. They have raised by voluntary contributions and otherwise, and expended on the care and preservation of the property, and in the purchase of Jackson relics, about \$27,721.

The Ladies' Hermitage Association has no source of income, and must depend for the funds with which to keep and preserve the Hermitage upon charity, or upon such contributions as the patriotic people of the State are voluntarily impelled to make.

When the President visited the Hermitage in October, 1907, and learned that the patriotic women who compose the Ladies' Hermitage Association were thus preserving and caring for the home and grave of President Jackson he suggested that the nation should, by a proper appropriation, aid those devoted ladies in their patriotic work.

In the message of the President, sent to this Congress on December 4, 1907, he said:

I solemnly recommend to the Congress to provide funds for keeping up the Hermitage, the home of Andrew Jackson, these funds to be used through the existing Hermitage Association for the preservation of the historic building, which should be ever dear to America.

President Jackson rendered valuable and enduring service to his country, both as a soldier and statesman. He impressed himself upon the people of America as few of the nation's great men have done. He was a major-general in the Regular Army of the United States before he became President and its commander in chief. It is fitting and proper that the nation which he served so long, and with such conspicuous ability and fidelity, should aid in a material

way in the preservation of his tomb and home. The Hermitage should be kept for all time as a place to which all Americans, who so desire, can go to study on the very ground where he lived and died, the strong and inspiring character of Andrew Jackson, and thus have quickened within them a higher and broader patriotism.

President Jackson, while a Tennessean, was more. He was an American, and any State in the Union can and does claim him as one of the nation's heroes.

The place occupied by President Jackson in our country's history is unique and distinctive. The nation has produced few like him, and will scarcely produce his like again. He was a soldier of rare genius and unsurpassed courage. His military achievements on behalf of the Republic would, alone, amply justify the American people in expending the sum asked, to preserve his house and tomb as a place of national pilgrimage. We erect monuments to our distinguished citizens and soldiers; we preserve and care for the cemeteries where soldiers who give up their lives in their country's service sleep, why should we not help to care for and preserve the tomb and home of one of the nation's greatest soldiers and statesmen?

APPENDIX A.

AN ACT To purchase the Hermitage.

Whereas it is good policy in a republican government to encourage habits of industry and to inculcate sentiments of veneration for those departed heroes who have rendered important services to their country in times of danger; and

Whereas Tennessee acknowledges no superior in feelings of patriotism and devotion to the Union, in whose cause the lamented Andrew Jackson acquired so much distinction: Therefore,

SECTION 1. *Be it enacted by the general assembly of the State of Tennessee*, That the governor of the State be empowered, and it is hereby made his duty, to purchase for the State of Tennessee 500 acres of the late residence of Andrew Jackson, deceased, including the mansion, tomb, and other improvements known as "the Hermitage."

SEC. 2. *Be it further enacted*, That whenever the said purchase is made and the title to said property secured to the State, that the governor is hereby authorized to cause the bonds of the State to be issued and to indorse the same in an amount not exceeding \$48,000, the proceeds of which to be appropriated by him in carrying into effect the provisions of this act: *Provided*, That the governor and secretary of state, upon investigation, shall be satisfied said price is not exorbitant.

SEC. 3. *Be it enacted*, That the governor of this State be authorized and required to tender the said property to the General Government of the United States, upon the express condition that it be used as a site for a branch of the Military Academy at West Point; and in the event the General Government does not accept the tender thus made in two years from the expiration of this session of the general assembly, then the governor shall be authorized and required to have 50 acres laid off, including the tomb, the mansion, and the spring and the spring houses, and expose the balance to public sale, either as a whole or in lots, on time, or for cash, as to him may seem best, and make his report to the legislature of 1859-60.

APPENDIX B.

AN ACT To conditionally convey to a board of trustees for the Ladies' Hermitage Association 25 acres of the Hermitage tract, including the mansion and tomb of Gen. Andrew Jackson.

SECTION 1. *Be it enacted by the general assembly of the State of Tennessee*. That 25 acres of the Hermitage tract, upon which are located the mansion house and tomb of Gen. Andrew Jackson, be, and they are hereby, conveyed in trust to the Ladies' Hermitage Association, and for said purpose the governor shall appoint, upon recom-

menation of the Ladies' Hermitage Association, nine discreet male white persons over the age of 25 years, two of whom shall be residents of East Tennessee, two shall be residents of West Tennessee, and five shall be residents of Middle Tennessee. They shall elect one of their members president and one of their members secretary. Five members shall constitute a quorum for the transaction of business, and said board of trustees are hereby authorized and empowered to make and enforce such by-laws as may be necessary to put into operation and continual execution the objects and purposes for which this trust is created.

SEC. 2. *Be it further enacted*, That the object for which this trust is created is to permit and encourage the Ladies' Hermitage Association to improve and beautify the mansion and other houses and the tomb, as well as the 25 acres upon which they are located, in such a manner as they may deem best, and to keep them in such high state of improvement and beauty as will display to the world the respect, love, and affection which should ever live in the hearts of an admiring people for their illustrious and departed chieftain: *Provided*, That visitors shall be allowed access to the grounds free of charge under reasonable rules to be prescribed by said society.

SEC. 3. *Be it further enacted*, That in the event the Ladies' Hermitage Association should at any time fail, neglect, or refuse to improve the house, tomb, and land herein conveyed, and to keep them in a high state of beauty and improvement, then said houses, tomb, and land and such other improvements as may be upon said 25 acres shall revert and go to the State of Tennessee without compensation to the trustees, Ladies' Hermitage Association, or other corporation or person. And the State shall not be required to pay any money whatever for such improvements as the trustees, Ladies' Hermitage Association, or other person or persons, may have made upon said houses, tomb, or lands.

SEC. 4. *Be it further enacted*, That the trustees appointed as provided in section 1 of this act each shall hold his office for four years, and until his successor shall have been appointed and qualified, and all vacancies by death, removal, or expiration of term or otherwise shall be filled by the governor upon recommendation of the Ladies' Hermitage Association, as provided in section 1 of this act: *Provided*, The State may revoke this trust at will.

SEC. 5. *Be it further enacted*, That all laws or parts of laws in conflict with the provisions of this act be, and they are hereby, repealed, and this act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1889.

BENJ. J. LEA,
Speaker of the Senate.

W. L. CLAPP,
Speaker of the House of Representatives.

Approved April 6, 1889.

ROBT. L. TAYLOR, *Governor.*

A correct copy, :

C. A. MILLER, *Secretary of State.*

APPENDIX C.

Purchase of Hermitage in 1856 by the State of Tennessee.

Amount of bonds.....	\$48, 000
Maturity at 6 per cent in 1892.....	103, 680
	<hr/> \$151, 680
Appropriations to Ladies' Hermitage Association from 1895 to	
1897, at \$600 per annum.....	7, 200
Special appropriations 1901.....	1, 000
Special appropriations 1905.....	500
Special appropriations 1907-8.....	1, 000
	<hr/> 9, 700
Total.....	<hr/> 161, 380

APPENDIX D.

From 1889, the time of the organization of the association, to 1897, when Mrs. P. H. Manlove took charge of the books, the receipts amounted to an average of \$1,000 per year. Total for eight years, \$8,109.48.

Money raised and expended by Ladies' Hermitage Association.

From June 12, 1897, to May 15, 1899.....	\$4, 517. 26
From May 15, 1899, to May 24, 1901.....	2, 668. 43
From May 24, 1901, to May 13, 1903.....	3, 421. 90
From May 13, 1903, to Apr. 18, 1904.....	1, 504. 33
From Apr. 18, 1904, to May 17, 1905.....	1, 415. 05
From May 17, 1905, to May 15, 1907.....	4, 662. 17
From May 15, 1907, to Nov. 11, 1907.....	1, 423. 15
Total.....	19, 612. 29
1889 to 1897.....	8, 109. 48
	<hr/> 27, 721. 77
State appropriation for curator.....	6, 000. 00
Appropriation for repairs, 1905.....	500. 00
Appropriation for repairs, 1907.....	500. 00
	<hr/> 7, 000. 00
Association has raised.....	12, 612. 29
Association has expended for relics.....	6, 500. 00
	<hr/> 6, 112. 29
Balance.....	6, 112. 29

This balance of \$6,112.29 has been expended for repairs, fencing, trees, paint, plastering, sodding, and generally beautifying; repairing historic cabin, reroofing, building the cottage, the arbor, the pavilion, the furnace, Jackson day lectures (Bryan), souvenirs, etc., to make the money with which we have done all the work, including the purchase of the relics which belong to the association.

APPENDIX E.

LADIES' HERMITAGE ASSOCIATION, NASHVILLE, TENN.

Board of directors, elected 1907.—Mrs. Mary C. Dorris, regent; Miss Louise Lindsley, first vice-regent; Mrs. A. M. Shook, second vice-regent; Mrs. J. W. Allen, secretary, Mrs. P. H. Manlove, treasurer; Mrs. M. S. Cockrill, director; Mrs. Thomas M. Steger, director; Mrs. B. F. Wilson, director; Mrs. Joseph M. Ford, director.

Board of trustees.—Gen. J. W. Lewis, president, Paris, Tenn.; Hon. Percy Warner, secretary, Nashville, Tenn.; Col. A. M. Shook, Nashville, Gen. G. P. Thruston, Nashville; Gen. John A. Fite, Lebanon; Hon. John W. Gaines, Nashville; Senator James B. Frazier, Chattanooga; Hon. S. G. Heiskell, Knoxville; Hon. Lewis R. Donelson, Memphis.

APPENDIX F.

AMENDED BY-LAWS FOR THE GOVERNMENT OF THE LADIES' HERMITAGE ASSOCIATION.

At a meeting of the trustees of the Ladies' Hermitage Association, held at the office of the Union Bank and Trust Company, Nashville, Tenn., April 27, 1899, the following proceedings were had:

There were present: J. W. Lewis, J. M. Dickinson, T. A. Atchison, J. M. Head, S. G. Heiskell.

J. W. Lewis was elected president of the board, and J. M. Dickinson was elected secretary.

The by-laws, which were adopted March 15, 1897, were amended so as to read as follows:

1. The management of the affairs of the Ladies' Hermitage Association shall be intrusted to a board of nine directors, five of whom shall constitute a quorum, to be elected by the members of the association at its biennial meetings, all of whose acts, however, shall be under the supervisory control of the trustees appointed by the governor, pursuant to the act of the legislature conveying the Hermitage property to this association.

No one shall be eligible to the position of director who has not been an active member of the association and shall have paid her annual dues for a period of at least two full years next preceding the time of election.

2. The first biennial meeting of the association shall be held on the third Wednesday in May, 1889, and every two years thereafter at such place in Nashville as may be designated in the call.

Directors shall have regular monthly meetings, a uniform time for which shall be fixed by the directors at the first meeting after their election, and such called meetings as may be necessary; but at least three days' notice in writing, stating the object of the called meeting, shall be given, and no business shall be transacted which is not set out in the notice.

3. The officers of this association shall consist of a regent (or president) and two vice-regents, secretary and treasurer, who shall be elected by the directors at the regular biennial meetings, and hold office until their successors shall have been elected and qualified.

No one shall be eligible to the office of regent for more than two successive terms. All vacancies in the directory or offices may be filled by the directors at any regular meeting.

4. The regent of the association shall be the supreme head of all the branch associations or societies which may be organized under the authority of the association; shall preside at all meetings and exercise a general supervising care over the prosperity of the association, and shall make an annual report on the 1st of January of the condition of the association to the trustees. In her absence or disability the senior or junior vice-regent in order may act.

5. The secretary shall make a record of all the transactions of the association in regular or special meeting, conduct all its correspondence, and do such other work as may be pertinent to the office of secretary, including such reports as the regent may require.

6. The treasurer shall receive all moneys for the association, from whatsoever source derived, and shall keep an accurate record thereof and pay out no money except upon the order of the regent or acting vice-regent, attested or countersigned by the secretary. The books shall be open to the inspection of any director or trustee. The treasurer shall make a report in writing to the regent semiannually, upon the 1st of May and the 1st of November of each year; shall give bond with security approved by two or more of the trustees, in the sum of \$1,000, which shall be increased from time to time as required by the trustees.

7. The membership of the association shall consist as follows:

First. Life members, who shall pay the sum of \$25 or more, and shall be exempt from annual dues. Such members shall be entitled to attend all meetings of the association, and shall have a life admission ticket to the Hermitage free.

Second. Members who shall pay \$1 to join the association and annual dues of \$1. The annual dues shall be payable on January 1 for the preceding year, but no person shall be required to pay such dues who shall not have been a member for more than six months. There shall be kept by the secretary and under the supervision of the directors a list of members to be known as "Active members." Any member can direct, either at the time of joining or at any time thereafter, that her name be put on the list of active members, and it shall be done. No member shall be entitled to vote in any of the meetings of the association who shall not have paid her annual dues and whose name shall not have been directed to be put on the list of active members at least sixty days before the privilege to vote is claimed.

No one shall be entitled to vote at any meeting until such person shall have been a member of the association for at least one year next preceding the meeting at which the right to vote is claimed, and shall have paid at least one annual due.

All voting by the members of the association shall be in person and not by proxy. Certificates of membership may be issued, signed by the regent and secretary.

It shall be the duty of the secretary to give notice on April 1 of each year to those members of the association who are then delinquent in the payment of their annual dues for the preceding year. If any member of the association shall not by July 1 of any one year have paid her dues for the next preceding year, the name of such member shall be dropped from the roll of membership, and such person shall no longer be a member of the association.

8. The board of directors shall have power to employ a curator and as many servants or laborers as they may deem necessary; to contract with any corporation, firm, or person for any building, improvement, material, tools, teams, wagons, and generally to do whatever may be necessary to repair, improve, or renew the mansion, house, tomb, and other outbuildings and fences, and to lay off, cultivate, and beautify the grounds in such manner as they may deem best, provided they shall contract no debt exceeding the amount in the treasury.

The board of directors shall have power to appoint from time to time from the active members such special committees as they shall see proper, but such committees shall at all times be under the supervision and control of the board of directors.

They shall also have power to authorize any plan, system, or enterprise for raising funds for the association, and their assent shall be required for any project under the auspices or in the name of the association, and all moneys so raised shall be duly reported and paid into the treasury.

9. The curator shall have charge of all the property of the association, and shall reside upon the premises. He shall provide for the reception of visitors, who shall be allowed access to the grounds under rules to be prescribed by the association. He shall take good care of the property, keeping an oversight thereof, reporting from time to time to the regent such matters as in his opinion may require attention. He shall see to the faithful execution of all contracts for improvements upon the property, and shall advise with the board of directors. He shall receive such compensation as shall be determined by the board of directors from time to time.

10. All rules and regulations inconsistent with these by-laws are annulled and void.

11. These by-laws may be altered, amended, or added to at any time by the permanent committee on by-laws appointed by the trustees.

12. These by-laws shall be printed and a copy sent to every person who is now a member of the association within twenty days from this date.

James M. Head, S. G. Heiskell, and J. M. Dickinson were appointed a committee on by-laws, with full authority to make such changes in the by-laws from time to time as they might deem proper.

The meeting then adjourned sine die.

J. M. DICKINSON, *Secretary*.

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